

REMARKS

Status of Claims

Claims 1, 4, 11-14, 20-24, 29 and 30 are pending in the application prior to the instant amendments. Claim 22 is currently amended; claim 24 is currently canceled; leaving claims 1, 4, 11-14, 20-23 and 29-30 pending upon entry of the instant amendments.

Specifically, claim 22 is currently amended to delete certain subject matter to expedite the prosecution of this case.

Applicants acknowledge that claims 1, 4, 11-14, 20, 21, 23, 29 and 30 have been allowed by the Examiner and believe that instantly amended claim 22 is also in condition for allowance, as discussed in more detail below.

Information Disclosure Statement (IDS)

An IDS form containing three references (US Patent No. 4,349,558, US Patent No. 4,307,102 and CA1178965) was submitted along with the RCE filed Feb. 16, 2010. Although the Examiner appeared to have considered those references in previous Office Actions, it is not clear whether the Examiner has initialed those references. Applicants respectfully ask the Examiner to initial those references if the Examiner has not already done so.

Co-pending Applications

A list of co-pending applications was submitted by the Applicants in the Response filed 7/23/2009.

Specification

No amendment is made to the specification.

Rejections under 35 U.S.C. §112

The Examiner rejected claim 24 under 35 U.S.C. §112, first paragraph, alleging that although the specification enables the treatment of certain glucocorticoid receptor mediated

diseases, it does not enable treatment of all claimed conditions (page 4, OA dated Dec. 22, 2010).

While Applicants respectfully disagree with the Examiner, claim 24 is being canceled to expedite the prosecution of the instant case.

Response to Remarks/Claim Objection

Claim 22

The Examiner objected to claim 22 and asked for support for compound 104 of this claim (page 12, OA dated Dec. 22, 2010). While Applicants respectfully disagree with the Examiner, Applicants have deleted compound 104 from claim 22 to expedite the prosecution of the instant case. Thus this objection is moot.

In view of the foregoing amendments and remarks, Applicants believe all pending claims are in condition for allowance.

The Examiner is invited to contact the undersigned attorney at the telephone number provided below if such would advance the prosecution of the instant application. Applicants believe no additional fees are due, but the Commissioner is authorized to charge any fees required in connection with this Response from Merck Deposit Account No. 13-2755.

Respectfully submitted,
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